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*NOT ADMITTED TO THE NEW YORK BAR

March 24, 2020

The Honorable Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Petróleos de Venezuela, S.A., et al. v. MUFG Union Bank et al., 1:19-cv-10023

Dear Judge Failla:

We are writing on behalf of all parties pursuant to Rule 2(c) of this Court's Individual Rules of Practice in Civil Cases to request an adjournment of the case deadlines in light of the Covid-19 crisis. In particular, the parties respectfully request that the Court approve the schedule set forth below, pursuant to which the deadline for the exchange of expert rebuttal reports on economic issues would be extended by fourteen days, and all other deadlines, including the hearing on motions for summary judgment motions, would be extended by approximately thirty days. The parties have also agreed as part of this revised schedule that neither would submit a rebuttal expert report addressing issues of Venezuelan constitutional law from an expert who has not already submitted an opening expert report. There have been two prior extensions of the current deadlines, for an aggregate of twenty-three days from the originally scheduled hearing date. All parties reserve the right to request further extensions.

The parties request this extension because the Covid-19 crisis has made it infeasible to satisfy the current schedule. For the foreseeable future, the parties' New York-based counsel and

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their experts—who are located in New York, California, Massachusetts, and Caracas, Venezuela—are required to work remotely, without access to their offices or basic resources, and without the ability to meet with their colleagues. The defendants' expert on Venezuelan constitutional law is based in Caracas, which for approximately the past week has been under strict city-wide quarantine. These circumstances materially impede the parties' ability to conduct depositions and conduct the other work needed to comply with the existing schedule.

Accordingly, the parties respectfully request that the Court approve the following proposed changes to the schedule.

| | <u>Current Deadlines</u> | <u>Proposed Deadlines</u> |
|--|--------------------------|--|
| Economic expert rebuttal reports: | April 1, 2020 | April 15, 2020 |
| All other expert rebuttal reports: | April 1, 2020 | May 1, 2020 |
| Conclusion of expert depositions: | April 10, 2020 | May 13, 2020 |
| Motions for summary judgment: | April 22, 2020 | May 22, 2020 |
| Oppositions to summary judgment motions: | May 12, 2020 | June 11, 2020 |
| Replies to summary judgment motions: | May 21, 2020 | June 23, 2020 |
| Hearing on summary judgment motion: | May 28, 2020 | June 30, 2020 (or another date set by the Court) |

The parties' forbearance agreement would be commensurately extended.

Counsel are available by telephone to address any questions the Court may have.

Respectfully,

/s/ Jonathan Hurwitz

cc: Counsel of Record (Via ECF and Electronic Mail)